IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE TWENTY FIFTH DAY OF NOVEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE B.PRAKASH RAO

WRIT PETITION NO : 20662 of 1996

Between:

P. Raja Rao, S/o. P.Ramulu,

Aged 34 years, Occ: Prop: Sri Satyanarayana Swamy

Floor & Rice Mill, Kummari Bazar, Suryapet, Nalgonda District.,

(Electricity Service Connection No. 1989 Category-III Suryapet Town)

..... PETITIONER

AND

1. The Superintending Engineer,

   Operation Circle, APSEB, Nalgonda.

2. The Assistant Accounts Officer/ERO/APSEB,

   Suryapet, Nalgonda District.

3. The Divisional Engineer/DPE-I,

   A.P.S.E.B, Nalgonda.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue writ of Mandamaus, or any other appropriate writ declaring the proceedings Lr. No. SE/OP/NLG/Comml./F.No.9/ D.No.4169/96, dated 13.08.1996 issued by the 1st respondent as illegal, arbitrary and unconstitutional and also direct the respondents to change the metre pertaining to service connection No. 1989, Category-III APSEB, Suryapet.

Counsel for the Petitioner: MR. N.Viswamohan Reddy

Counsel for the Respondents: SMT. M. VINOBHA DEVI, STANDING COUNSEL FOR APSEB)

The Court made the following :

ORDER:

Heard the learned Counsel for the petitioner and also the learned Standing Counsel appearing on behalf of the respondents.

The petitioner herein, who is running a Floor and Rice Mill, files this writ petition, *inter alia,* seeking to assail the impuged proceeding of the 1st respondent dated 13.08.1996 directing the petitioner to pay Rs.17,493.30 Ps on account of back billing, as illegal.

Though several contentions have been urged on behalf of the petitioner, however, the fact remains that in the very same order, it has been pointed out specifically that if the petitioner is aggrieved by the said order, he can make an appropriate representation to the Superintending Engineer, Operation, Nalgonda, within fifteen days from the date of receipt of the order.

Admittedly, aggrieved by the same, the petitioner, without approaching the said authority, has filed the present writ petition.

In view of the same, this Court need not go in to the merits of the case, but in the interest of justice, the petitioner is permitted to file a representation before the authorities concerned within a period of fifteen days from today and on such representation, the authorities shall consider and dispose of the same on merits in accordance with law. It is needless to say that till disposal of the said representation, interim stay granted earlier by this Court shall remain in force.

25th November, 2004

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Copy to:

1. The Superintending Engineer,
   Operation Circle, A.P.S.E.B.,
   Nalgonda.
2. The Assistant Accounts Officer/ERO/A.P.S.E.B.,
   Suryapet, Nalgonda District.
3. The Divisional Engineer/DPE-I,
   A.P.S.E.B., Nalgonda.

4. Two C.D.Copies.